

REMARKS

By this amendment, claims 1-5 and 13-35 have been withdrawn. Claims 6-12 and 36-39 are currently pending. Furthermore, the drawings have been amended to conform to applicable standards and to correct an inadvertent error in the placement of labels "L1," "L2," and "L3" in Figure 10.

Claims 6-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,754,181 to Elliot et al. ("Elliot").¹ Claims 36-39 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,484,155 to Kiss et al. ("Kiss").

A. 35 U.S.C. § 102(e) Rejection Applying Elliot - Claims 6-12

Applicants respectfully traverse the rejection of claims 6-12 under 35 U.S.C. § 102(e) for at least the reason that Elliot fails to disclose every claim element. For example, independent claim 6 recites, among other things, "receiving an event; categorizing the received event; identifying a situation that matches the categorized received event." Elliot fails to disclose at least these elements of claim 6.

The Office Action identifies "DS-3 transmission alarms" of Elliot as categorized received events. (See Office Action, page 2, citing Elliot at col. 109, lines 16-20.) The Office Action further identifies either the "maintenance schedule information" or the "planned network outages" as categorized received events. (See Office Action, page 3,

¹ The Office Action contains statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

citing Elliot at col. 109, lines 20-24.) However, “maintenance schedule information” and “planned network outages” (which are derived from maintenance schedule information) are not equivalent to “DS-3 transmission alarms” because Elliot specifies that “DS-3 transmission alarms [are received] from other network management systems 338” and that “maintenance schedule information [is received] from a Network Maintenance Scheduler system 340.” Thus, Applicants respectfully maintain that Elliot fails to disclose “receiving an event; categorizing the received event; identifying a situation that matches the categorized received event,” as claimed. Accordingly, the 35 U.S.C. § 102(e) rejection of claim 6 and claims 7-12, which depend from claim 6, should be withdrawn.

B. 35 U.S.C. § 102(e) Rejection Applying Kiss - Claims 36-39

Applicants respectfully traverse the rejection of claims 36-39 under 35 U.S.C. § 102(e) for at least the reason that Kiss fails to disclose every claim element. For example, independent claim 36 recites, among other things, “program instructions for categorizing the received event; program instructions for identifying a situation that matches the categorized received event.” Kiss fails to disclose at least these elements of claim 36.

The Office Action describes Kiss as disclosing “program instructions for identifying a situation that matches the categorized received event.” in col. 2, lines 18-19 of Kiss. (See Office Action, page 5.) However, this passage of Kiss describes the “queries” of a prior art system (U.S. Patent No. 5,628,011 to Ahamed et al. (“Ahamed”)) and characterizes this solution as inferior. Moreover, the Office

Action inconsistently identifies both the "queries" of Ahamed and "problem statements" of Kiss as categorized received events. (See Office Action, page 5.) Thus, Applicants respectfully maintain that Kiss fails to disclose "program instructions for categorizing the received event; program instructions for identifying a situation that matches the categorized received event," as claimed. Accordingly, the 35 U.S.C. § 102(e) rejection of claim 36 and claims 37-39, which depend from claim 36, should be withdrawn.

Conclusion

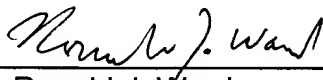
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: March 23, 2005

By: 
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Attachments: Replacement Drawing Sheets

AMENDMENTS TO THE DRAWINGS:

The twelve attached replacement sheets include changes to the figures to conform to applicable standards and to correct an inadvertent error.